

**TABLE OF CONTENTS**

	<b><u>Page</u></b>
PRELIMINARY STATEMENT .....	1
INTRODUCTION .....	1
PROCEDURAL BACKGROUND .....	2
STATEMENT OF FACTS .....	3
ARGUMENT .....	4
I. THE RELATED ACTIONS SHOULD BE CONSOLIDATED .....	4
II. THE PROPOSED LEAD PLAINTIFFS SHOULD BE APPOINTED LEAD PLAINTIFFS .....	4
A. The Proposed Lead Plaintiffs Have Satisfied The Procedural Requirements Pursuant To The PSLRA .....	4
B. The Proposed Lead Plaintiffs Constitute The "Most Adequate Plaintiff" .....	5
1. The Proposed Lead Plaintiffs Have Made A Motion For Appointment As Lead Plaintiffs .....	6
2. The Proposed Lead Plaintiffs Have The Largest Financial Interest .....	7
3. The Proposed Lead Plaintiffs Otherwise Satisfy Rule 23 .....	7
a. The Proposed Lead Plaintiffs Fulfill The Typicality Requirement .....	8
b. The Proposed Lead Plaintiffs Fulfill The Adequacy Requirement .....	9

III. THE COURT SHOULD APPROVE THE PROPOSED LEAD PLAINTIFFS' CHOICE OF COUNSEL .....	10
CONCLUSION .....	12

# TABLE OF AUTHORITIES

<u>Cases</u>	<u>Page(s)</u>
<u>De La Fuente v. Stokley-Van Camp, Inc.</u> , 713 F.2d 225 (7th Cir. 1983) .....	9
<u>Eisenberg v. Gagnon</u> , 766 F.2d 770 (3d Cir. 1985), <u>cert denied</u> , 474 U.S. 946 (1985) .....	8
<u>Fischler v. Amsouth Bancorporation</u> , 1997 U.S. Dist. LEXIS 2875 (M.D. Fla. Feb. 6, 1997) .....	8
<u>Greebel v. FTP Software, Inc.</u> , 939 F. Supp. 57 (D. Mass. 1996) .....	5, 6
<u>Halperin v. Nichols, Safina, Lerner &amp; Co.</u> , No. 94 C 6960, 1996 U.S. Dist. LEXIS 16111 (N.D. Ill. October 28, 1996) .....	9
<u>In re Drexel Burnham Lambert Group, Inc.</u> , 960 F.2d 285 (2d Cir. 1992) .....	8
<u>In re Milestone Scientific Securities Litig.</u> , 183 F.R.D. 404 (D.N.J 1998) .....	7, 10
<u>In re Nice Systems Securities Litig.</u> , 188 F.R.D. 206 (D.N.J 1999) .....	5
<u>Johnson v. Celotex Corp.</u> , 899 F.2d 1281 (2d Cir.), <u>cert. denied</u> , 498 U.S. 920 (1990) .....	4
<u>Lax v. First Merchants Acceptance Corp.</u> , 1997 U.S. Dist. LEXIS 11866 (N.D. Ill. Aug. 6, 1997) .....	passim

**Statutes, Rules & Regulations**

Fed. R. Civ. P. 23 .....	passim
Fed. R. Civ. P. 42 .....	4
15 U.S.C. § 78u-4, <u>et seq.</u> .....	passim